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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

EBAY, INC., Plaintiff, v. DIGITAL POINT SOLUTIONS, INC., SHAWN HOGAN, KESSLER'S FLYING CIRCUS, THUNDERWOOD HOLDINGS, INC., TODD DUNNING, DUNNING ENTERPRISE, INC., BRIAN DUNNING, BRIANDUNNING.COM, and DOES 1-20, Defendants.	CASE NO.: CV-08-4052 JF **DEFENDANTS TODD DUNNING AND DUNNING ENTERPRISE, INC.'S OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO EXCEED PAGE LIMIT FOR CONSOLIDATED OPPOSITION**

Defendants Todd Dunning and Dunning Enterprise, Inc. join in the arguments and oppositions filed by the other defendants in this action to Plaintiff's request that it be given leave to exceed the page limit in opposing the Motions to Dismiss the Second Amended Complaint.

These defendants suggest that clarity and efficiency for the Court and the parties is best achieved when Plaintiff responds separately to each motion. A consolidated brief that combines

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oppositions to all motions places an undue burden on defendants in preparing their reply briefs in support of their separate motions.

Dated: June 2, 2009

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By: /s/

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